

Appl. No. 10/730,245
Amdt. dated May 5, 2006
Reply to Office Action of February 6, 2006
Attorney Docket 17518

REMARKS/ARGUMENTS

Claims 1-6 are currently pending for examination. Claims 1 and 4 are presently amended. No new matter has been added.

Rejection of Claims 1-3 and 6 under 35 U.S.C. 103(a)

Claims 1-3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plate et al., US Patent 5,639,119, in view of Nygren, Jr. et al., US Patent 5,888,012.

In order to establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the applied reference must teach or suggest all the claim limitations (See MPEP §2143).

Applicant respectfully submits that the cited references of Plate and Nygren fail to teach or suggest all the claim limitations. More particularly, the cited references at minimum fail to teach or suggest "at least one annular rest portion constrained from movement in both a radial and axial direction relative to one of said screws by said plate and said chassis" as is presently claimed in Claim 1.

The Office Action provides:

"Plate et al. show all of the claimed elements excluding at least one annular rest portion affixed in cantilever fashion to one of said chassis and said plate, said annular rest portion surrounding a corresponding one of said plurality of connection screws and defining a shoulder that supports said plate in a radial direction with respect to the axis of the connection screw; and wherein said annular rest portion defines a cylindrical shoulder coaxial to said connection screw."

To compensate for the deficiency of Plate examiner relies upon the reference of Nygren. Nygren appears to teach a fastening apparatus 10 for fastening or connecting first and second members 14, 18. The fastening apparatus 10 generally comprises a fastener and nut member 42 engageable thereto (column 4, lines 18-23). The fastening mechanism utilizes bores 16, 20 through both first and second members to allow the nut member ~~to~~ pass through such that "the nut member 42 may engage at least the distal end 28 of the fastener 22

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proximate at least a distal surface 19 of the second member 18 to interconnect the first and second members 14, 18" (column 4, lines 31-34). As shown clearly in Figure 1, nut member 42 is inserted through surface 19 of second member 18. Nut member 42 is clearly not constrained axially by first member 14 whatsoever and is only constrained from axial movement in one of two axial directions by second member 18 as nut member 42 (as shown best in Fig. 1) is clearly not constrained in a downward axial direction by member 42.

Conversely, the present invention as claimed in Claim 1 teaches an "annular rest portion constrained from movement in both a radial and axial direction relative to one of said screws by said plate and said chassis" (emphasis added). Fig 3. of the present application clearly shows such relationship between the plate 12, chassis 2, and annular rest portion (shown generally as bushing 21), in which the bushing 21 is "sandwiched" between the plate 12 and chassis 2 thus prohibiting axial movement of the bushing 21.

Claim 1 should be allowed over the cited art as the cited references at minimum fail to teach or disclose at least an "annular rest portion constrained from movement in both a radial and axial direction relative to one of said screws by said plate and said chassis." Claims 2, 3, and 6 depend from Claim 1 and should be allowed over the cited art for at least the same reason as Claim 1. Withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

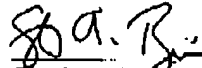
Applicant gratefully acknowledges Examiner's indication that Claims 4 and 5 are allowed. As Claim 4 was previously presented as a dependent claim based upon a then rejected base claim(s), claim 4 has been rewritten in independent form including all of the limitations of the base claim and all intervening claims from which it previously depended. Claim 5 depends from Claim 4 and like Claim 4 is believed to be allowable.

No fee is believed due in connection with this Amendment. However, if the Commissioner determines that a fee is due, he is authorized to charge the fee to Deposit Account No. 14-0780.

In view of the above remarks, it is believed that the application is in condition for allowance. Accordingly, an early Notice of Allowance is respectfully requested.

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